

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA**

IN RE:	Chapter 11
Mercy Hospital Iowa City, Iowa, et al.,	Bankruptcy No. 23-00623
Debtor-in-Possession.	Jointly Administered
	DECLARATION OF C. RICHARD BAYMAN

I, C. Richard Bayman, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge and belief:

1. I am a Managing Director of Fifth Third Securities, Inc., f/k/a H2C Securities, Inc. ("H2C"), a subsidiary of Fifth Third Bank, National Association ("Fifth Third"), and am authorized to execute this declaration (the "Declaration") on behalf of H2C.
2. I submit this Declaration in opposition to the Acting United States Trustee's Objection to H2C's Final Fee Application (the "Objection"). (ECF No. 917).
3. The scope of H2C's engagement in this matter essentially involved marketing and selling the Debtor's principal assets through a Section 363 sale with the University of Iowa Hospitals and Clinics ("UIHC") as a stalking horse bidder.
4. Following H2C's engagement, H2C ran a process to market such assets with the aim of locating other potentially interested buyers.
5. Ultimately, this process resulted in UIHC, as the stalking horse, being the successful bidder and purchasing the Debtor's principal assets.
6. In connection with H2C's scope of work, and to facilitate that work, H2C established and maintained a data room where interested parties accessed information about the Debtor's assets.
7. That data room was maintained through the use of Firmex software, for which H2C or Fifth Third incurs cost to maintain. To recoup that cost, which is incurred through an enterprise-wide contract for use of the Firmex software, H2C charges \$7,000 for each closed engagement.
8. The \$7,000 expense reimbursement sought by H2C in its fee application, (Doc. 842), is related to and results from the cost of the Firmex software to maintain the above-referenced data room. This expense was necessary to the

**Exhibit 1
Declaration of C. Richard Bayman**

performance of H2C's work on this matter and is reasonable in relation to the actual expense incurred by H2C or Fifth Third for the use of this Firmex software.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



C. Richard Bayman
Managing Director, Fifth Third Securities, Inc., fka H2C Securities, Inc.

Executed: 5/9/2024